

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2314  
National Republican Senatorial )  
Committee and James L. Hagen, as )  
treasurer; )  
Jim Santini for Senate and )  
J. Glen Sanford, as treasurer. )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on March 10, 1992, do hereby certify that the Commission took the following actions in MUR 2314:

1. Failed in a vote of 3-2 to pass a motion to:
  - a) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$71,627.33 in earmarked contributions transmitted to Jim Santini for Senate through the 1986 Direct-To operation.
  - b) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$72,055.00 in earmarked contributions transmitted to Jim Santini for Senate through the second version of the 1986 Direct-To Auto operation.

(continued)

- EST 11 56 40 66
- c) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$32,575 in earmarked contributions transmitted to Jim Santini for Senate by means of NRSC checks through the 1986 Majority '86 operation.
  - d) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$5,600 in earmarked contributions transmitted to Jim Santini for Senate by means of NRSC checks through the 1986 Trust operation.
  - e) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$28,295.54 in earmarked contributions transmitted to Jim Santini for Senate by means of NRSC checks through the 1986 Miscellaneous Conduiting operation.

(continued)

- 25TH FEB 1992 10 06
- f) Find probable cause to believe that the national Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 106.1 by failing to report as contributions to Jim Santini for Senate \$71,785.76 in unreimbursed costs related to solicitations for the 1986 Direct To, Direct To Auto, and Majority '86 operations.
  - g) Take no further action against the National Republican Senatorial Committee and James L. Hagen, as treasurer, with regard to any violations of 2 U.S.C. § 434(b) and 11 C.F.R. 106.1 as a result of failures to report as contributions to Jim Santini for Senate any unreimbursed costs related to solicitations for the Trust and Miscellaneous Conduiting operations.
  - h) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 441a(h).
  - i) Take no further action against Jim Santini for Senate and J. Glen Sanford, as treasurer, and close the file as to these respondents.

(continued)

- j) Approve the conciliation agreement and the appropriate letter as recommended in the General Counsel's report dated February 13, 1992

Commissioners McDonald, McGarry, and Thomas voted affirmatively for the motion; Commissioners Aikens and Elliott dissented; Commissioner Potter recused with respect to this matter and was not present during its consideration.

2. Decided by a vote of 5-0 to

- a) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$71,627.33 in earmarked contributions transmitted to Jim Santini for Senate through the 1986 Direct-To operation.
- b) Reject recommendation #2 in the General Counsel's report dated February 13, 1992.

(continued)

- 44-38861-106
- c) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 110.6(d)(2) by failing to report as contributions from the NRSC \$32,575 in earmarked contributions transmitted to Jim Santini for Senate by means of NRSC checks through the 1986 Majority '86 operation.
  - d) Reject recommendations #4 and #5 in the General Counsel's report dated February 13, 1992.
  - e) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 434(b) and 11 C.F.R. § 106.1 by failing to report as contributions to Jim Santini for Senate unreimbursed costs related to solicitations for the 1986 Direct To, Direct To Auto, and Majority '86 operations, but not include the unsuccessful costs of general party fundraising in programs where the contributors were called back.

(continued)

- 547-563-40-66
- f) Take no further action against the National Republican Senatorial Committee and James L. Hagen, as treasurer, with regard to any violations of 2 U.S.C. § 434(b) and 11 C.F.R. 106.1 as a result of failures to report as contributions to Jim Santini for Senate any unreimbursed costs related to solicitations for the Trust and Miscellaneous Conduiting operations.
  - g) Find probable cause to believe that the National Republican Senatorial Committee and James L. Hagen, as treasurer, violated 2 U.S.C. § 441a(h) with respect to items a, c, and e above.
  - h) Take no further action against Jim Santini for Senate and J. Glen Sanford, as treasurer, and close the file as to these respondents.

(continued)

Federal Election Commission  
Certification for MUR 2314  
March 10, 1992

Page 7

- i) Direct the Office of General Counsel to draft a revised conciliation agreement pursuant to the actions noted above and the Commission discussion and circulate it for Commission approval on a tally vote basis.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Potter recused with respect to MUR 2314 and was not present during its consideration.

Attest:

3-11-92  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission